

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING)	
PHARMACY, INC.)	
PRODUCTS LIABILITY LITIGATION)	MDL No.:
)	Dkt. No 1:13-md-2419 (RWZ)
)	
This Document Relates to:)	
)	
Ten (10) Suits Naming the SSC Defendants)	
Dismissed at Dkt. 3188:)	
)	
Cox, No. 1:13-cv-12918;)	
Dingess, No. 1:13-cv-12490;)	
Hubbard, No. 1:13-cv-12922;)	
Jackson, No. 1:13-cv-12923;)	
Johnson, No. 1:13-cv-12915;)	
Lapiska, No. 1:13-cv-12914;)	
Nealon, No. 1:13-cv-12491;)	
Norris, No. 1:13-cv-12682;)	
Palmer, No. 1:13-cv-12688;)	
Reed, No. 1:13-cv-12917)	

SSC DEFENDANTS'
MOTION FOR ENTRY OF FINAL JUDGMENT IN CASES DISMISSED AT DOC. 3188

Specialty Surgery Center, Crossville, PLLC ("SSC"), Kenneth R. Lister, MD ("Dr. Lister"), and Kenneth Lister, MD, PC ("Dr. Lister's Practice") (collectively the "SSC Defendants") move this Court, under Fed. R. Civ. P. 58(d), to enter individual orders of final judgment in the ten (10) cases dismissed with prejudice at Dkt. 3188.¹

¹ The following cases were dismissed at Dkt. 3188:

1. *Cox v. Ameridose, LLC, et al.*, No. 1:13-cv-12918;
2. *Dingess v. Ameridose, LLC, et al.*, No. 1:13-cv-12490;
3. *Hubbard v. Ameridose, LLC, et al.*, No. 1:13-cv-12922;
4. *Jackson v. Ameridose, LLC, et al.*, No. 1:13-cv-12923;
5. *Johnson v. Ameridose, LLC, et al.*, No. 1:13-cv-12915;
6. *Lapiska v. Ameridose, LLC, et al.*, No. 1:13-cv-12914;
7. *Nealon v. Ameridose, LLC, et al.*, No. 1:13-cv-12491;
8. *Norris v. Ameridose, LLC, et al.*, No. 1:13-cv-12682;
9. *Palmer v. Ameridose, LLC, et al.*, No. 1:13-cv-12688; and
10. *Reed v. Ameridose, LLC, et al.*, No. 1:13-cv-12917.

As grounds for the Motion, the SSC Defendants state:

1. On November 17, 2016, in its Memorandum of Decision and Order granting in part the SSC Defendants' Motion to Dismiss, the Court dismissed ten (10) cases with prejudice.²
2. Rule 58(d) allows a party to request a final judgment be set out in a separate document to satisfy Rules 58(a) and (b).
3. The SSC Defendants now move this Court to enter final judgment for the SSC Defendants in the ten (10) cases dismissed with prejudice.
4. The SSC Defendants attach as Exhibit 1 individual proposed Orders of Final Judgment for the ten (10) cases dismissed with prejudice, and ask the Court to sign the proposed orders and enter them in both the master docket and the individual docket of each case.

² Dkt. 3188.

Respectfully submitted,

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* Admitted pursuant to MDL Order No. 1.

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 28th day of December, 2016.

/s/ Chris J. Tardio